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**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF UTAH**

ANNE-LESE ERIKSEN

Plaintiff,

vs.

DONALD W. DENNETT, an individual;
DOES I - X and ROE CORPORATIONS I - X,

Defendants.

)
) **ORDER GRANTING**
) **MOTION TO COMPEL**

)
) Civil No.: 2:07CV00230 DB
) Magistrate Judge: David Nuffer

Plaintiff served her Motion for Sanctions or for an Order Compelling Responses to Discovery on October 9, 2007 (docket no. 6) and noticed Defendant by mail on the same date. The motion asserts that Plaintiff served on Defendant discovery requests pursuant to rules 33, 34 and 36 but that Defendant failed to respond to said requests. The motion and memorandum in support of the motion show and certify that Plaintiff's counsel made appropriate efforts to resolve this discovery matter without court intervention. The defendant has failed to respond to the motion. Under DUCivR 7-1(d) "Failure to respond timely to a motion may result in the court's granting the motion without further notice." Defendant is deemed to have admitted all of

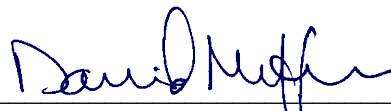
the requests for admissions served upon Defendant.¹

Therefore, It is ORDERED, ADJUDGED AND DECREED THAT

1. Plaintiff's motion to compel (docket no. 6) is granted and the motion for sanctions is taken under advisement.
2. Defendant shall provide written responses to the interrogatories and request for production not later than January 2, 2008.
3. **Defendant is warned that failure to comply with this order and to cooperate in discovery may result in the imposition of sanctions** under Fed. R. Civ. P. 37(b)(2), including striking Defendant's answer, entry of default judgment, or adjudication of contempt of Court.
4. Plaintiff is entitled to reasonable expenses, including attorney's fees, incurred in making this motion. Fed. R. Civ. P. 37(a)(5). On or before December 21, 2007, Plaintiff may submit proof of expenses including attorneys fees incurred in this motion and any response must be filed on or before January 2, 2008.

DATED this 10th day of December, 2007.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

Magistrate Judge David Nuffer

¹Fed. R. Civ. P. 37(a)(3). "A matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection addressed to the matter and signed by the party or its attorney."